

## Message Text

CONFIDENTIAL

PAGE 01 SAIGON 06933 211323 Z

53

ACTION EA-14

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FM AMEMBASSY SAIGON

TO SECSTATE WASHDC 0533

AMEMBASSY BUDAPEST

AMEMBASSY JAKARTA

AMEMBASSY OTTAWA

AMEMBASSY WARSAW

USDEL JEC PARIS

C O N F I D E N T I A L SAIGON 6933

E. O. 11652: GDS

TAGS: MARR VS

SUBJECT: STATE OF THE ICCS AND FUTURE PROSPECTS

1. SUMMARY: THERE IS LITTLE EVIDENCE AFTER TWELVE WEEKS OF EXISTENCE TO DEMONSTRATE THAT THE ICCS HAS HAD A MEANINGFUL IMPACT ON THE REDUCTION OF HOSTILITIES. ALTHOUGH THE GVN HAS SHOWN SOME SENSITIVITY TO THE ICCS PRESENCE, COMMUNIST SIDE HAS ACTIVELY OBSTRUCTED THE COMMISSION AND DISPLAYED LITTLE CONCERN FOR POSSIBLE REPERCUSSIONS WHICH ITS ACTIONS MIGHT PRECIPITATE FROM THE ICCS. THE INABILITY OF THE ICCS TO FUNCTION EFFECTIVELY HAS RESULTED FROM THE LACK OF PROGRESS TOWARD A POLITICAL SETTLEMENT BETWEEN THE TWO SOUTH VIETNAMESE PARTIES, THE CONTINUING OFFENSIVE MILITARY ACTIVITIES OF THE DRV/ PRG, THE LACK OF PRG COOPERATION WITH THE COMMISSION, AND THE REFUSAL OF THE POLISH AND HUNGARIAN DELEGATIONS TO ADDRESS THE TASKS OF THE COMMISSION OBJECTIVELY.

2. THE CHIP DELEGATIONS, PARTICULARLY THE CANADIANS AND INDONESIANS, HAVE BECOME INCREASINGLY DISPIRITED AS A RESULT OF THE INEFFECTUALITY OF THE COMMISSION. ICCS IMPOTENCY HAS BEEN UNDERLINED BY SUCH  
CONFIDENTIAL

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PAGE 02 SAIGON 06933 211323 Z

CASES AS THE SA HUYNH MISSILE ISSUE, NORTH VIETNAMESE INFILTRATION, TONG LE CHAN, ETC. THERE SEEMS LITTLE REASON TO EXPECT THE GOC TO FURTHER COMMIT ITSELF TO THE ICCS AT THE END OF MAY. THE COMMISSION IS IN DANGER OF BEING OVERWHELMED BY CYNICISM AND APPEARS GRADUALLY SLIDING INTO A MECHANICAL ROLE- PLAYING HABIT. WE WILL, NEVERTHELESS, CONTINUE TO WORK WITH THE COMMISSION IN EVERY MANNER POSSIBLE, AND ENCOURAGE THE GVN TO DO LIKEWISE. WE BELIEVE, HOWEVER, IT IS URGENT THAT THE DEPARTMENT PLAN FOR THE CONTINGENCY THAT CANADA MAY DECIDE TO QUIT THE ICCS AT THE END OF MAY. END SUMMARY.

3. IMPACT ON HOSTILITIES. AT THE END OF THE 12 TH WEEK OF THE CEASEFIRE, THE ICCS HAS FAILED TO ESTABLISH ITSELF AS A SIGNIFICANT FACTOR IN INSURING THE PEACE IN SOUTH VIET- NAM. IT WOULD BE DIFFICULT TO SHOW THAT IF THE COMMISSION HAS PLAYED A VITAL ROLE IN THE REDUCTION OF HOSTILITIES. HOWEVER, IT SEEMS CLEAR THAT EACH SIDE HAS EXERCISED SOME RESTRAINT AS A RESULT OF THE PRESENCE OF THE COMMISSION. WE BELIEVE THE GVN, FOR IS PART, HAS DISPLAYED SOME COGNIZANCE OF THE ICCS AND SENSITIVITY TO ITS ROLE. TONG LE CHAN IS THE CLEAREST EXAMPLE OF THE GVN ATTEMPTING TO EMPLOY THE ICCS AS AN INSTRUMENT TO REDUCE HOSTILITIES RATHER THAN REACT TO THE PROBLEM WITH FORCE. THE GVN HAS ALSO ATTEMPTED TO EMPLOY THE COMMISSION AS AN INTERNATIONAL BODY WHICH COULD CERTIFY GVN CONTROL OF MUCH OF THE COUNTRYSIDE.

4. THE COMMUNIST SIDE HAS ACTIVELY OBSTRUCTED THE ICCS AND HAS EVINced A REMARKABLE LACK OF CONCERN FOR POSSIBLE REPERCUSSIONS EMANATING FROM THE ICCS. MOST NOTICEABLE EXAMPLES INCLUDE THE SHOOTING DOWN OF THE TWO ICCS HELICOPTERS NEAR LAO BAO - AS WELL AS THE SHOOTING AT ICCS HELICOPTERS ON A NUMBER OF OTHER OCCASIONS SUCH AS NEAR HOI AN IN FEBRUARY, THE SHELLING OF TRI TON AND HONG NGU WHILE ICCS TEAMS WERE RESIDENT IN THOSE TWO TOWNS, AND THE SUSTAINED ASSAULT ON TONG LE CHAN DESPITE ICCS EFFORTS TO HALT THE FIGHTING AND CONDUCT AN INVESTIGATION. THE DRV/ PRG HAS DALLIED IN THE CONSTRUCTION OF SITE FACILITIES FOR THE ICCS IN LAO BAO, GIO LINH, AND XA MAT. ICCS TEAMS HAVE TO THIS DATE BEEN UNABLE TO OCCUPY THESE SITES. THE PRG HAS REFUSED TO FORMALLY DESIGNATE ITS THREE " WILD CARD" POINTS OF ENTRY. PERHAPS MORE IMPORTANTLY, THE PRG STALLED THROUGHOUT THE LIFE OF THE FPJMC IN ITS DEPLOYMENT TO MOST OF THE REGIONAL AND SUBREGIONAL SITES, AND HAS CONTINUED THIS APPROACH IN THE TPJMC, THUS HAMSTRINGING

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PAGE 03 SAIGON 06933 211323 Z

THE WORK OF THE ICCS IN FIELD INVESTIGATIONS. CLASSIC EXAMPLES OF LACK OF COOPERATION IN THE FIELD WAS PRG' S REFUSAL TO DESIGNATE A LIAISON OFFICER TO ACCOMPANY ICCS INVESTIGATORY TEAM IN SA HUYNH INVESTIGATION. THE PRG HAS FURTHER ADVERSELY AFFECTED ICCS EFFORTS BY REFUSING TO GUARANTEE ICCS SECURITY IN A NUMBER OF AREAS WHERE INVESTIGATIONS HAVE BEEN REQUESTED.

5. FACTORS INHIBITING ICCS: THE FUNDAMENTAL REASON, OF COURSE, FOR INABILITY OF THE ICCS TO FUNCTION EFFECTIVELY HAS BEEN THE LACK OF PROGRESS TOWARD A POLITICAL SETTLEMENT BETWEEN THE TWO SOUTH VIETNAMESE PARTIES, ALONG WITH THE CONTINUING OFFENSIVE MILITARY ACTIVITIES OF, IN PARTICULAR, THE DRV/ PRG. THE LIMITATIONS OF THE ICCS UNDER SUCH CIRCUMSTANCES ARE EVIDENT. IN ADDITION, HOWEVER, WITH RESPECT TO THE COMMISSION' S FUNCTIONS FOR CONDUCTING INVESTIGATIONS AND PRODUCING REPORTS ON SAME. THERE ARE SEVERAL MAJOR FACTORS WHICH HAVE PREVENTED THE ICCS FROM FULFILLING THE APPARENT ROLE ENVISIONED IN THE PARIS AGREEMENT. THE ABSENCE OF COOPERATION FROM THE PRG, AS MENTIONED EARLIER, IS ONE. THE SECOND MAJOR ELEMENT HAS BEEN REPORTED ON EXTENSIVELY BY THE EMBASSY, I. E., THE LACK OF OBJECTIVITY ON THE PART OF THE POLES AND HUNGARIANS DELEGATIONS WHO HAVE CONSISTENTLY REFUSED TO CONSIDER REPORTS CRITICAL OF THE DRV/ PRG. THE OBSTRUCTIONISM EMPLOYED BY THESE TWO DELEGATIONS TO PROTECT THE DRV/ PRG HAS IN ALMOST EVERY INSTANCE STYMIED THE COMMISSION. MANY OF THE TACTICS EMPLOYED BY THE DR/ PRG, AND THE POLDEL/ HUNGDEL, ARE REMINISCENT OF THE BALD LIES AND DILATORY STRATAGEMS KNOWN SO WELL TO THE OLD ICC. IT HAS ALSO BEEN CLEAR FROM THE OUTSET THAT, UNDERSTANDABLY, NONE OF THE CHIP DELEGATIONS HAS BEEN PREPARED TO TAKE SIGNIFICANT SECURITY RISKS, AND MORE THAN ONE INVESTIGATION HAS BEEN ADVERSELY AFFECTED ACCORDINGLY.

6. PROGNOSIS: WHILE FOR THE PAST SIX WEEKS CONDEL HAS ENGAGED IN INCREASINGLY AGGRESSIVE EFFORTS TO EXPLORE EVERY POSSIBILITY FOR DOING THE JOB AS ENVISIONED BY THE AGREEMENT, IT HAS NEVERTHELESS ALSO BECOME INCREASINGLY RESIGNED TO THE PROPOSITION OF ESTABLISHING A FULL RECORD OF HOW THEY TRIED, AND HOW THEY WERE THWARTED BY POLDEL/ HUNGDEL OBSTRUCTIONISM. IT CAN BE SENSED THAT IN THE PROCESS CANDEL OBJECTIVITY HAS SUFFERED SLIGHTLY FROM THE DEFENSIVE REQUIREMENTS IMPOSED BY THE TACTICS OF THE COMMUNIST REPRESENTATIVES ON THE COMMISSION. THE INDONESIANS, WHILE GENERALLY TRYING TO MAINTAIN THE GIDDY PACE OF THE CANADIANS, HAVE NOT TOTALLY ABANDONED EFFORTS TO COMPROMISE IN THE COMMISSION.

CONFIDENTIAL

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PAGE 04 SAIGON 06933 211323 Z

THEY ARE NEVERTHELESS DISHEARTENED.

7. SHOOTING DOWN OF HELICOPTERS NEAR LAO BAO HAS REINFORCED THE

ALREADY EXISTING CAUTIOUS TENDENCY OF ALL THE DELEGATIONS. THE ACCRUING EVIDENCE OF IMPOTENCY ON THE PART OF THE COMMISSION IN THE FACE OF COMMUNIST ATTACKS ON TONG LE CHAN, HONG NGU, ETC., AS WELL AS THE INABILITY OF THE COMMISSION TO DEAL WITH EMPLACEMENT OF SA-2'S AT KHE SANH AND NVN INFILTRATION, IS NOW SO APPARENT THAT WE SENSE AMONG ALL THE CHIPS - PARTICULARLY CANDEL AND INDODEL - LITTLE HEART FOR THE JOB AT HAND. WE CAN ANTICIPATE A DECLINE IN GVN RELIANCE UPON THE ICCS, AS THIS TREND CONTINUES.

8. UNLESS THE SITUATION DESCRIBED ABOVE IMPROVES MARKEDLY, THERE IS LITTLE REASON TO ANTICIPATE AN AFFIRMATIVE DECISION ON THE PART OF THE GOC TO FURTHER COMMIT ITSELF TO THE ICCS AT THE END OF MAY.

9. IN ANOTHER TEN DAYS THE POLES WILL BECOME CHAIRMAN FOR THE MONTH. IT SEEMS LIKELY THAT MAY WILL NOT BE A PRODUCTIVE PERIOD FOR THE ICCS UNDER THE GUIDING HAND OF THAT DELEGATION. UNCERTAINTY REGARDING THE CANADIAN DECISION TO BE MADE IN MAY, AND SPECULATION WHICH WILL UNDOUBTEDLY GROW WITH RESPECT TO A POSSIBLE REPLACEMENT SHOULD THE CANADIANS OPT OUT, WILL PROBABLY HAVE A FURTHER DELETERIOUS EFFECT ON THE COMMISSION, AND THE INDODEL IN PARTICULAR. ALREADY MOST OF THE INITIAL ESPRIT DE CORPS SURROUNDING THE EARLY DAYS OF THE COMMISSION HAS EVAPORATED, AND IT SEEMS CYNICISM AND MECHANICAL ROLE-PLAYING WILL BECOME THE RULE. IN THE EVENT THE QUANG TRI HELICOPTER CASE INVESTIGATION RESULTS IN A SPLIT DECISION RE RESPONSIBILITY, AN ACID TEST FOR THE ICCS WILL HAVE BEEN FAILED, AND THE COMMISSION WILL HAVE LOST ITS REMAINING CREDIBILITY.

10. WHILE THE PROSPECTS FOR THE ICCS ARE DISCOURAGING, WE WILL CONTINUE TO MAKE ALL EFFORTS TO WORK WITH THE COMMISSION, GIVING IT EVERY CHANCE TO PROVE ITSELF. WE WILL CONTINUE TO ENCOURAGE THE GVN TO PURSUE THE SAME APPROACH. AT THE SAME TIME, WE HOPE THE DEPARTMENT WILL PURSUE ITS EFFORTS TO ENCOURAGE THE CANADIANS TO STAY ON IN THE ICCS PAST JUNE. TAKING A REALISTIC VIEW OF THE PROSPECTS, HOWEVER, WE BELIEVE IT IS NOW URGENTLY IMPORTANT TO PLAN FOR THE CONTINGENCY THAT CANADA WILL ANNOUNCE A DECISION TO QUIT THE ICCS AT THE END OF MAY.  
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